

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Economic Development & Energy Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **December 9, 2002**.

MEMBERS PRESENT:

Legislator Jon Cooper - Chairperson
Legislator Fred Towle - Vice Chairperson
Legislator Allan Binder
Legislator Vivian Fisher
Legislator George Guldi

ALSO IN ATTENDANCE:

Paul Sabatino, II - Counsel to the Legislature
Richard Lapsley - Chief Aide to Legislator Cooper
Eben Bronfman - Aide to Legislator Guldi
Tim Motz - Democratic Caucus Aide
Nicole DeAngelo - County Executive's Office
Joe Schroeder - Budget Review Office
Joe Muncey - Budget Review Office
Kevin Duffy - Budget Review Office
Ken Knappe - Budget Office
Carolyn Fahey - Suffolk County Economic Development
David Grier - Department of Law
Commissioner Charles Bartha - Department of Public Works
Gordian Raacke - Citizen's Advisory Panel
Other interested parties

MINUTES TAKEN BY:

Ana Grande - Court Stenographer

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(THE MEETING WAS CALLED TO ORDER AT 10:45 A.M.)

CHAIRMAN COOPER:

I'd like to welcome everybody to the December 9th meeting of the Economic Development & Energy Committee. Legislator Towle, if you'll lead us in the pledge, please.

(SALUTATION)

TABLED RESOLUTIONS

IR 2018-02 (P) Directing County Department of Public Works to implement compliance with emission standards for County vehicles.

CHAIRMAN COOPER:

Good morning. Before we get to the agenda, we have one speaker. Charlie Bartha is here to discuss I.R. 2018 and answer any questions from the Committee. Good morning, Charlie.

MR. BARTHA:

Good morning.

CHAIRMAN COOPER:

Thanks for coming today.

MR. BARTHA:

You're welcome.

CHAIRMAN COOPER:

I believe that some of the Committee members had some questions or wanted some additional information regarding DPW's position on I.R. 2018. Did you want to address the Committee first?

MR. BARTHA:

Well, I would simply say that we are in compliance. All of the diesel fleet that Public Works operates, trucks are in compliance with the emissions standards for all of the years of the different vehicles. There are different standards for different years.

The Sheriff's Department I believe has one or two diesel vehicles which they maintain, I can't speak for the Sheriff's Department, but otherwise we have no objection to the resolution.

Our only concern would be in the second resolve clause it talks about using specific types of equipment, as long as it's understood that the -- as long as the vehicles are meeting, it's not necessary to install additional equipment. We're okay with this.

CHAIRMAN COOPER:

Legislator Towle.

LEG. TOWLE:

Good morning, Charlie. How are you?

MR. BARTHA:

Good morning.

LEG. TOWLE:

Besides the Sheriff's Office, does any other agencies oversee their vehicle fleets, community college, for example, do you guys oversee the fleet there or do they have their own internal -- Cornell Cooperative Extension?

MR. BARTHA:

We handle the Cornell's vehicles. To tell you the truth, I'm a little caught short, I'm not sure about the college. I don't know.

LEG. TOWLE:

Okay. So we'll put that as a maybe. The Sheriff handles his own vehicle at this point?

MR. BARTHA:

Yes.

LEG. TOWLE:

Okay. Any other agency that I'm not thinking of or that you reviewed that are not under your purview?

MR. BARTHA:

No.

LEG. TOWLE:

If I could put a question to Counsel, Mr. Chairman?

CHAIRMAN COOPER:

Please.

LEG. TOWLE:

Commissioner Bartha pointed out, Paul, that the Sheriff's Office and the community college possibly, we're not sure on that, maintain their own vehicles. This law would apply to them as well, right?

MR. SABATINO:

Yes. It was constructed to be across the board.

LEG. TOWLE:

Okay. And, Charlie, just to repeat, obviously taking the position that we're in compliance, which is great to hear, you have no position against the law as long as we're not requiring you to do more than the standards are, is that correct?

MR. BARTHA:

That's correct.

LEG. TOWLE:

Okay.

CHAIRMAN COOPER:
Legislator Guldi.

LEG. GULDI:
Yes. Charlie, you sent us a letter saying merely that the vehicles are all in compliance with inspection standards. Now, the inspection

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standards for heavy trucks are different than the inspection standards for automobiles, is that not correct?

MR. BARTHA:
That's correct.

LEG. GULDI:
Who does our inspections?

MR. BARTHA:
We do.

LEG. GULDI:
We do our own inspections?

MR. BARTHA:
Right. We have licensed inspectors.

LEG. GULDI:
We have licensed inspectors. Are heavy trucks put on a dynamometer and tested for emissions the way automobiles are in the course of their inspection?

MR. BARTHA:
I don't know whether it's actually on a dynamometer when they are tested, but they're tested with the engine idling.

LEG. GULDI:
With the engine idling. So like -- inspections are like of passenger cars, there is a report generated at each inspection for hydrocarbons, carbon monoxide emissions both what the vehicle's producing and what the permitted levels are?

MR. BARTHA:
On the diesels the report you get, it actually, it gives you the opacity results.

LEG. GULDI:
Opacity?

MR. BARTHA:
Opacity.

LEG. GULDI:
What is opacity measuring?

MR. BARTHA:
Opacity is the -- it basically measures the -- that there's
particulates --

LEG. GULDI:
The density of the smoke is what it's --

MR. BARTHA:
Right.

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LEG. GULDI:
It's analyzing the density, not the composition?

MR. BARTHA:
That's correct.

LEG. GULDI:
Okay.

MR. BARTHA:
And it's my understanding that provided -- if it meets that standard,
it means it meets the hydrocarbons, the hydrocarbon and the carbon
monoxide and that the test automatically goes further if there's any
other issues.

LEG. GULDI:
So if it flunks the opacity test, then it then analyzes the gas to see
if it's poison?

MR. BARTHA:
Correct.

LEG. GULDI:
But if passes the opacity test, it doesn't analyze the gas to see
what's in it?

MR. BARTHA:
That's my understanding.

LEG. GULDI:
Now, the letter you gave us didn't provide any data at all with
respect to the performance of our trucks within -- with regard to the

existing emissions standards, it simply said we passed.

MR. BARTHA:
Right.

LEG. GULDI:
Isn't that data tracked by vehicle from year to year?

MR. BARTHA:
Yes. You get a, similar to a -- there's a separate printout.

LEG. GULDI:
Separate printout per vehicle per inspection?

MR. BARTHA:
Correct.

LEG. GULDI:
Is that data collected and recorded and tracked from year to year as part of fleet maintenance?

MR. BARTHA:
It's held in the file, yes, separately.

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LEG. GULDI:
So you can see, literally, so you can see on any given vehicle what its history was at prior emissions tests so you can identify a problem vehicle or whether something has arisen?

MR. BARTHA:
Right.

LEG. GULDI:
The problem I have is that the letter that you gave us gave us no data, no data of any nature or description, so I can't tell from looking at that whether our fleet is functioning at one percent of permissible emission levels or at ninety-nine percent of emission levels, and there's a real difference. Is that data readily available?

MR. BARTHA:
For the entire fleet of vehicles, it would take sometime to provide that information.

LEG. GULDI:
So you're not keeping it in a database, you're just sticking it in a file?

MR. BARTHA:
I believe so.

LEG. GULDI:
See, the other concern I have is that the -- it's called the controversy, if you will, over the appropriateness of the emissions standards for light trucks or even heavy trucks and the suggestion by certain environmental organizations and monitors of this that the standards are inappropriate and far too broad. That's the reason I think it would be critical for us as a policy making body to know how our fleet is performing.

Don't you think it would be a useful tool if the data from the inspections was simply put on a spreadsheet and maintained from year to year for vehicles?

MR. BARTHA:
What's important to us is that they're meeting the standards. If you would like other information, we'll provide it to you, of course.

LEG. GULDI:
Now, my understanding was that you're opposing this bill, is that correct?

MR. BARTHA:
No.

LEG. GULDI:
All right. With respect to the second resolve clause that you articulated reservations about, the way I read it is authorized, empowered and directed for -- with -- to utilize diesel oxidation catalysts, catalyst soot filters and regenerative technology exhaust

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systems. Do you have any of those in place?

MR. BARTHA:
We have some of those in place.

LEG. GULDI:
How are they performing?

MR. BARTHA:
They're performing satisfactory enough to meet the standards.

LEG. GULDI:
Yeah, but are they performing -- are they generating substantial enough improvements in our emissions to merit expansion of the program? Are you with me?

MR. BARTHA:

No.

LEG. GULDI:

Meaning -- all right. If these or other technological alterations of vehicles, if the vehicle without them was producing say ninety percent of permissible emission and with them is producing ten percent, wouldn't that indicate to us that perhaps we could substantially clean up the air quality in our County by using more of the technology?

MR. BARTHA:

And you would have a significant cost involved certainly.

LEG. GULDI:

Yeah, we would have to balance the cost against the degree of savings, as with any technology, or the degree of impact. But are we tracking the data on the vehicles that we're using it on?

MR. BARTHA:

Not in the fashion that you are suggesting.

LEG. GULDI:

How are we tracking the data if we're doing it in another fashion?

MR. BARTHA:

I'll get back to you on that.

LEG. GULDI:

Okay. I'd really like to know what's going on, all right, in a word. And I got from your letter that, yeah, all right, our vehicles passed inspections, that tells me that they got stickers on the windows, it doesn't really tell me what our fleet is producing in terms of -- or how the technology we're applying is performing. And I'd really like to get a handle on that. If you can get back to me at your convenience in whatever reasonable form it is for your Department to get a handle on that, I would appreciate that.

MR. BARTHA:

Are you looking for it over a period of several years or are you looking for how the fleet, like a snapshot in time?

LEG. GULDI:

I think a snapshot in time. It depends on what, frankly, it depends on how you're -- what you find in your data. I mean if we can look at it, if the snapshot in time data is readily available and easy to do, we can look at that and determine whether or not some time line data would be appropriate to look at depending on the ease of putting it

together.

MR. BARTHA:

If it would please the Chairman, I'd be glad to work with Legislator Guldi and present the information in a fashion that is satisfactory.

CHAIRMAN COOPER:

I'd appreciate that. Thank you.

LEG. GULDI:

Thank you, Commissioner.

MR. BARTHA:

You're welcome.

LEG. GULDI:

Frankly, I'll just do that with the Commissioner. And in the event that the data indicates that we should be considering something else, I'll get back to you, Legislator Towle, and we'll discuss it with the Commissioner together.

LEG. TOWLE:

That will be great. So do you want to move this today or do you want to table it?

LEG. GULDI:

It's your bill.

LEG. TOWLE:

Okay. I'd want to move it.

LEG. GULDI:

I'd second your motion.

LEG. TOWLE:

Motion to approve 2018, Mr. Chairman.

CHAIRMAN COOPER:

We have a motion and a second. All those in favor? Opposed? I.R. 2018 is approved. (VOTE: 5-0-0-0) APPROVED

I.R. 2104-02 (P) Adopting Local Law No. - Year 2002, a Local Law authorizing the County Treasurer to collect and distribute excess budgeted revenues received pursuant to Chapter 327 of the Suffolk County Code. (Hotel/Motel Tax) (County Executive)

CHAIRMAN COOPER:

I.R. 2104. A Local Law authorizing the County Treasurer to collect and distribute excess budgeted revenues received pursuant to Chapter 327 of the Suffolk County Code. Explanation on this.

MR. SABATINO:

This was tabled the last meeting because I had raised a question. It's not clear -- well, it's clear what the resolution states it's going to do, which is that it states that the Treasurer will be able to distribute on a monthly basis revenues that come in on a motel/hotel tax above and beyond what's actually appropriated.

The concern that I had raised was two things. One is I'm not sure what problem that solves. Number two, then you're going to lose the appropriation portion of the process for any monies that come in above that and I wasn't sure that that was what was fully understood before the vote. So that's the only reason it was tabled, it was basically something I had raised.

LEG. TOWLE:

Did those issues get resolved since the last meeting?

CHAIRMAN COOPER:

Actually -- actually not. So I would make a motion to table this resolution for one more session.

LEG. TOWLE:

Second.

CHAIRMAN COOPER:

Hold on one second.

LEG. GULDI:

It looks like we have a contestant.

MR. GRIER:

I was made aware that the Committee had requested that the Budget Office and the County Attorney's Office appear to address some of their questions, so that's why I'm here today, and we're in the process of trying to get someone from Budget Office over to answer some of your questions.

LEG. TOWLE:

Do you want us to skip over this one?

MR. GRIER:

If you would give us just a few minutes to try to get the Budget person, we can do it all at once.

CHAIRMAN COOPER:

Okay, sure.

PROCEDURAL MOTION 9 - Authorizing litigation against LIPA to recover County construction project utility costs. (Towle)

CHAIRMAN COOPER:

Okay. We'll move on to Procedural Motion 9. Authorizing litigation against LIPA to recover County construction project utility costs. Is there a motion?

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LEG. TOWLE:

Just continue to table it pending --

LEG. GULDI:

Second the motion to table.

LEG. TOWLE:

Yeah. And, David, I don't know who is representing -- Mr. Chairman, would you recognize me? I don't know who is representing the County in the County Attorney's Office regarding this, but it would be nice maybe at the next meeting of the Energy Committee to give them an update. I don't know if we'll all be here -- she did at the last meeting? Okay. I apologize, I wasn't here. Thanks.
(VOTE: 5-0-0-0) TABLED

INTRODUCTORY RESOLUTIONS

I.R. 2245-02 (P) Appointing Richard W. Kruse as a member of the Suffolk County Industrial Development Agency (IDA). (Tonna)

CHAIRMAN COOPER:

Moving on to Introductory Resolutions. We have I.R. 2245. Appointing Richard Kruse as a member of the Suffolk County IDA. Is Mr. Kruse in the --

LEG. TOWLE:

Motion to table.

LEG. GULDI:

Mr. Kruse is not here? Second the motion.

LEG. BINDER:

Was he asked to come down here, I guess is the question?

LEG. TOWLE:

The sponsor of the bill should have made sure he was aware of the Committee.

CHAIRMAN COOPER:

You can make sure that Paul's office knows for the next meeting.

LEG. BINDER:

Also, I want to be listed as a co-sponsor, he's a great candidate.

LEG. TOWLE:

Mr. Chairman, I'd like to ask Counsel a question.

CHAIRMAN COOPER:

Yes.

LEG. TOWLE:

Paul, how many people are on the IDA?

MR. SABATINO:

There are seven members. All seven serve at the pleasure of the County Legislature. These are all exclusively Legislative

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appointments.

LEG. TOWLE:

Are they fixed term?

MR. SABATINO:

No. They serve at the pleasures of, which means you can replace any member at any time.

LEG. TOWLE:

And the person that Mr. Kruse is replacing is who?

LEG. GULDI:

Mr. William Majuk. I was just going to ask him.

LEG. TOWLE:

And is he resigned or --

MR. SABATINO:

No. It's just a straight replacement.

LEG. GULDI:

Maybe we should invite him down too.

LEG. TOWLE:

I guess, Counsel, I'll ask you this since you did the bill for Legislator Tonna, is Mr. Majuk aware that he's being replaced?

MR. SABATINO:

I don't know. I just processed the request, I honestly don't know.

LEG. BINDER:

Hold off on my co-sponsorship. While Mr. Kruse is great, I want to check that out. I didn't realize that.

LEG. TOWLE:

Are all the members of the Industrial Development Agency appointed at this point?

MR. SABATINO:

Yes. We just, at the last meeting we had appointed the Commissioner of Economic Development to replace Alice Amrhein, so there's a full complement of seven at this point.

LEG. TOWLE:

And who is the chairperson, is it the commissioner?

MR. SABATINO:

It's a good question, I don't recall. I think it was Alice Amrhein and I'm not sure if they're going -- the group itself is going to --

LEG. TOWLE:

Do they take minutes at this meeting? Because I've got to tell you, I've been here seven years, I don't even know when the Industrial Development Agency meets. I'd be curious if any of the other Legislators do. And I'm curious, what are they doing?

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MR. SABATINO:

That's a question that has been raised in the past and Legislator Postal had filed bill after bill after bill and then finally I think eighteen months ago her bill was finally adopted, which was to have an annual report, if not more frequently, I forget the exact wording, but I think it was an annual report about what they do. Okay.

And the first presentation I think that was made on that was last year, if I remember correctly, when the Executive Director Ferguson came before the Committee and made that first presentation, so the bill appears to be finally working.

LEG. TOWLE:

Do they take minutes, do you know?

MR. SABATINO:

They should.

LEG. TOWLE:

Okay. If you can check that out. If they don't, I'd ask you to file a bill with my name on it requiring them to have verbatim minutes. I mean these are Legislative appointments, I'd like to know what this

group is doing. And since obviously I don't get meeting notices, at least if we got minutes, it would give us the next date of the meeting as well as what they're doing.

MR. SABATINO:

It's an ongoing concern, I'll draft --

LEG. TOWLE:

If you'll check that out, yes.

CHAIRMAN COOPER:

All right. I believe we have a motion and second for I.R. 2245, this is to table. All those in favor? Opposed? 2245 is tabled.

(VOTE: 5-0-0-0) TABLED

IR 2256-02 (P) Requiring Long Island Convention and Visitors Bureau (LICVB) to advertise Suffolk County Commuter Tax Advantage for Workers. (Binder)

CHAIRMAN COOPER:

I.R. 2256. Requiring Long Island Convention and Visitors Bureau to advertise Suffolk County Commuter Tax Advantage for Workers.

LEG. BINDER:

Motion to approve.

CHAIRMAN COOPER:

I'll second.

LEG. BINDER:

On the motion. What the bill does basically is in the event that New York City decides that we should be hit with a huge commuter tax, there are a number of businesses in New York City that have a large number of people from Long Island that work there and so they might do very much

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better to relocate out here where we would also gain the tax advantage, vacancy, a number of things, even sales taxes, they'd be out here and spending money.

So it would seem to me if they want to pass a tax on our commuters, that we should invite businesses from New York City to come here and relocate and we should have -- and the Long Island Convention Visitor Bureau can go out there and help us to entice them to come here.

LEG. TOWLE:

Mr. Chairman?

CHAIRMAN COOPER:

Legislator Towle.

LEG. TOWLE:

Although I agree with Legislator Binder on concept and principle, I guess I'd have to ask him two questions. One is opposed to sending the Long Island Convention and Visitors Bureau a letter saying, hey, I think this would be a great idea, and I can't imagine why they would oppose it, have you had a conversation with them about this or have we invited them to come down and talk about this issue before we dictate to them what their advertising program should be?

And the reason I ask that question is because they've come before the Legislature when Legislator Alden had attempted to, you know, review their advertising program and made a quite, from my recollection, a quite extension presentation as to what they were doing. Whether you liked it or disliked the advertising program I guess that's debatable, but, you know, to me it seems more in tune to say, come on down, let's tell you what our concerns are and could you include that. They'd listen to our comments and whatever recommendations we had, because we're all advertising geniuses. They took them into consideration and added them to their program.

And I would imagine that if this, in fact, happens if you requested it, I couldn't imagine they would not do it. I'm just a little concerned we're kind of dictating it to them.

LEG. BINDER:

The reason that I have it this way, it really is almost outside of what they would normally do in trying to increase tourism. And so rather than for them trying to put together a new program, it would seem to me this is the kind of situation where we want to send, if nothing else, a political message also to New York City.

And so we wouldn't be pulling the trigger on this unless the commuter tax passes anyway. And so, in reality, what this does it would say to Long Island Convention and Visitors Bureau, we need you to create this. It obviously isn't part of their program, and I'm sure they can create this, but it really is -- we're not telling them how to create it, we're not telling them what to say. Counsel also has a comment also.

MR. SABATINO:

Just to enhance what you're saying. There's another clause we put in, which said that they would have to bring the plan back to the Legislature

within sixty days, so Legislator Towle's concern would be addressed.

LEG. BINDER:

That's why I'm saying we're not pulling the trigger right away, I guess

that's what I meant by that.

LEG. TOWLE:

If I could, Mr. Chair? You're requiring them to now include this as part of their plan and then come back for us to approve it, right?

LEG. BINDER:

In a sense, yes, but they don't have --

LEG. TOWLE:

He's shaking his head yes, you're saying no.

LEG. BINDER:

Okay. Let me explain. We're not actually doing anything unless the commuter tax passes, so if there's no commuter tax, then --

LEG. TOWLE:

It's a moot point.

LEG. BINDER:

-- then they have to put together some plan and come back to us and then we're going have that discussion, exactly the discussion you want to have. The only threshold question is whether they need to do it in a sense by law. We would tell them you need to do it.

LEG. TOWLE:

Have you spoken to them at all?

LEG. BINDER:

No. How they do it would be -- but we're not doing anything, they're not doing anything until the commuter tax passes and --

LEG. TOWLE:

But you haven't even spoken to them.

LEG. BINDER:

Well, it's a question of policy. Right, this is a question of policy. We want something done and then they can come back to us and they can decide how to do it with us in cooperation, that conversation will take place. I don't know that we have to --

LEG. TOWLE:

If you consider we fund them through the tax and control that allocation to them, I would find it hard to believe that they would not be receptive knowing, you know, the Executive Director as well as we do.

LEG. BINDER:

Right.

LEG. TOWLE:

I'm not opposed to the concept, I'm just opposed to dictating it to them before you even ask them. That's my only point.

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LEG. BINDER:

Well, and I guess the point from my point is it's not a question of asking them do you want to do this, this is some -- an agency we fund and it's a policy we're making a decision on. Do we want the policy of going to New York City and saying to businesses who are heavily laden with Long Islanders who will -- who at this point would then be under a commuter tax to advertise to come here.

We want -- if we want that policy, if we want to do that, then we say to Long Island Convention and Visitor, you're going to be doing that should this pass. Then if it passes New York City, then the conversation becomes engaged. In other words, we're not dictating saying you must do it this way in this manner, the dictation is just that this is the policy of the Legislature. And that I think they can live with whatever the policy is, and then how to do it, they're coming back to us, we're having that conversation. And we'll do that on the record, I'm sure, even in private conversations, in how to create a program they're comfortable with and that we're comfortable with.

LEG. TOWLE:

With all due respect, it's kind of tough to know what they can live with and what they can't live with if they're not here to talk about it and we've had no conversation with them prior to the bill being approved by the Committee.

LEG. BINDER:

But the point is that we don't need to know what they can or cannot live with, because we're not to that point. They will come back here and have that conversation with us before they need to do anything.

LEG. TOWLE:

How do you know they're not planning to do this on their own without us establishing a policy? I mean I'm not suggesting I know that they are, I'm just --

LEG. BINDER:

Let's say they are --

LEG. TOWLE:

-- I'm just posing a hypothetical.

LEG. BINDER:

Okay. So let's pose the hypothetical. So let's say they are, the fact that the County Legislature adopts a policy is a political message to New York City and New York State, who would be considering whether or not to

impose a commuter tax on the people of Nassau and Suffolk. So what we're trying to do is send a message here by creating a policy.

So it doesn't matter if they were thinking of doing it, Long Island Convention and Visitors Bureau, or not, I don't really care if they thought of it or not, it's that the Legislature is creating a policy to send a message that we're going to go in and we're going to take business if we can if you go and pass the commuter tax. That's all this is about, sending a message.

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LEG. TOWLE:

The better message is to voting for the Sense that I introduced opposing the commuter tax, I think that's a message right there.

LEG. BINDER:

I think you had it, I think Legislator Lindsay, Legislator Crecca, all of us, I mean we've done press conferences, we are I think unanimously opposed in this body and we should send that message. But I think that we should also send a message that we're willing to start to look at creative actions that will negate the commuter tax if they were to pass it. We're going to look for ways to turn it around, and so this is one way.

There might be other ideas on what we can do to send, more than send messages, but let them know we're going to take actions should they pass this.

LEG. TOWLE:

I'm not opposing again the policy, I think to have them do this without having a conversation with them -- I mean we passed the exemption on sales tax and footwear and clothing, we could have dictated to them or established the policy that since this Legislature passed that, we are now requiring you to include that in your advertising. And that probably would have been a great thing for them to do, but, you know, for us to say how their advertising should go, you know, I just think is -- but, you are, you're telling them to put together a plan in a certain amount of time to come back to include this should the tax, you know, situation take place.

I mean -- so, in essence, there's a lot of what ifs, but if it all happens, they are going to be required to do this whether they want to or not. And I just think to not -- to do this and not have a conversation with them is not the way to accomplish the goal. So I'd abstain from this today if you're going to move this without talking to them.

LEG. GULDI:

What's your pleasure?

CHAIRMAN COOPER:

I had one question for the sponsor. Does the legislation specify the amount of money to be spent in advertising or is there any minimum amount?

LEG. BINDER:

Up to a hundred thousand.

MR. SABATINO:

I think it matches what we gave them.

LEG. BINDER:

Right. Us up to a hundred thousand, right, and then --

CHAIRMAN COOPER:

So it's capped at a hundred thousand, but there's no minimum requirement?

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LEG. BINDER:

Right. We're going to spend a hundred thousand and Long Island Convention and Visitors Bureau can match that money, we're asking them just to create the program with money we're giving them to do the program.

LEG. TOWLE:

So we're giving them, in addition to the money they're receiving another hundred thousand dollars to advertise this if, in fact, it should happen?

LEG. BINDER:

Yes. This is a separate --

LEG. TOWLE:

Okay. Then I'm not abstaining, I'm opposing. I'm opposing that.

CHAIRMAN COOPER:

That's coming out of their --

LEG. TOWLE:

Their funds too.

LEG. BINDER:

Well, it would seem to me that -- that Suffolk County, in the event that a commuter tax, an onerous commuter tax is passed on the people of Suffolk County, would, would spend a small amount of money, would spend a small amount of money to try to bring businesses here that would far and exceed the amount that we would invest to advertise to bring businesses here. You bring a couple of businesses here, it would far and exceed the amount we've spent to advertise. I mean it's just basic cost benefit. If we bring a few businesses here, we far and exceeded a hundred thousand

dollars that we might spend to advertise to bring them here.

CHAIRMAN COOPER:

I would like to make a motion to table this and also suggest that we invite Mike Hollander to the next meeting of the Committee.

LEG. TOWLE:

I'll second that.

CHAIRMAN COOPER:

All those in favor? Opposed? Resolution 2256 is tabled.

(VOTE: 5-0-0-0) TABLED

IR 2259-02 (P) Extend deadline for Energy Advisory Committee Report.
(Fisher)

CHAIRMAN COOPER:

IR 2259. Resolution to extend the deadline for the Energy Advisory Committee report.

LEG. FISHER:

Motion to approve. And if you would like an explanation of that?

CHAIRMAN COOPER:

Please.

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LEG. FISHER:

Is there a second?

CHAIRMAN COOPER:

I'll second that motion.

LEG. FISHER:

Thank you, Mr. Chair. I've requested an extension -- well, the Committee has requested an extension of the time line, because one of the chief charges of that Committee is to review the master plans that have been developed by LIPA and by the, and by SEA, the Citizens -- the Sustainable Energy Alliance Committee, and since those were just published very recently, they haven't had time to do the kind of in depth analysis that's required. So, that's the reason why I've asked to extend.

LEG. TOWLE:

Mr. Chairman?

CHAIRMAN COOPER:

Legislator Towle.

LEG. TOWLE:

Legislator Fisher, what was their deadline and how much more time are you

giving them?

LEG. FISHER:

The deadline was the end of this year, December 31st.

LEG. TOWLE:

So from when to December 31st? How long have they had time to do this now, if you'll refresh my memory?

LEG. FISHER:

They just received the LIPA master plan I think about a month ago.

LEG. TOWLE:

How long have they been meeting in total?

LEG. FISHER:

They've been meeting throughout this year.

LEG. TOWLE:

They've had all this year with the exception of the LIPA plan that they just got?

LEG. FISHER:

Right.

LEG. TOWLE:

Okay.

LEG. FISHER:

And they have had two public hearings where they've presented to the public some of the work that they've been doing, but it wouldn't be a complete report if they didn't have their analysis of the master plans.

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LEG. TOWLE:

And you're going to give them till when?

LEG. FISHER:

Since I haven't opened everything up, Paul, do you have the resolution in front of you?

CHAIRMAN COOPER:

Until March 31st.

MR. SABATINO:

March 31st.

LEG. FISHER:

I wasn't sure if it was the beginning or the end of March.

MR. SABATINO:
March 31st.

LEG. FISHER:
Thank you.

CHAIRMAN COOPER:
All right. We have a motion and a second. All those in favor? Opposed?
I.R. 2259 is approved. (VOTE: 5-0-0-0) APPROVED

I.R. 2293-02 (P) - Adopting Local Law No. -2002, A Charter Law to
reduce membership of Airport Lease Screening Committee and restore
Legislative oversight to airport leases. (Tonna)

CHAIRMAN COOPER:
I.R. 2293. A Charter Law to reduce membership of Airport Lease Screening
Committee and restore Legislative oversight to airport leases.

LEG. TOWLE:
I still have a question.

CHAIRMAN COOPER:
Legislator Towle.

LEG. TOWLE:
How do we reduce the membership and then transfer it back to the
Legislature? I mean it seems like a contradicting -- in other words,
we're eliminating the members not really reducing them, right?

MR. SABATINO:
No. We're -- the current -- the current committee has eight members. It
will be reduced to seven by eliminating the representative -- statutory
representative, which is the Legislature from the district in which the
airport is located.

At the same time, it will change -- it will reverse the 1997 amendment
and go back to the way it used to be in terms of notwithstanding a
unanimous vote or majority vote or whatever the vote is in the Committee,
all of those land use approvals will come to the Legislature for
approval.

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That's the way the law was prior to 1997, so this would sort of go back
to the way it used to be.

LEG. TOWLE:
From eight to seven, and the leases will still come before the
Legislature.

MR. SABATINO:

Notwithstanding the unanimous vote, which was to change those meetings.

LEG. TOWLE:

Okay.

LEG. GULDI:

If I may? The reason, other than the sponsor's effort to get rid of me --

LEG. TOWLE:

That alone is a meritorious activity.

LEG. GULDI:

It's been tried before in other contexts.

LEG. TOWLE:

Don't encourage us to vote for it.

LEG. GULDI:

The one concern, frankly, the membership of the committee is whether the Legislator from the district is a member of the committee or not, certainly the Legislator from the district will be able to appear, participate and etcetera at the meetings. That change is hardly relevant or material.

The material change, however, is the change of unanimous approval and streamlining. The history of the Airport's Leasing Committee was that the average time between an Airport Lease Screening Committee approval and the approval by the Legislature had turned into an eleven month ordeal and that process was prohibiting anyone with a real business enterprise from waiting the eleven months in order to determine whether or not they were going to be able to locate at the airport.

And it was a tremendous economic disincentive to the utilization of the airport, especially since most of the issues at the airport were proforma, would come before the Legislature, would be not discussed, unanimously approved in committee and then unanimously approved on the floor of Legislature, because they were of that nature.

If the sponsor -- the sponsor, however, since he has a designee on the Airport Lease Screening Committee as Presiding Officer, can and has achieved exactly that result by directing his designee to abstain or oppose every action taken by the Lease Screening Committee, because when the Lease Screening Committee acts with less than unanimity, all matters come to the Legislature under the existing law.

So, frankly, that change in itself, which is I think a bad idea, is one that the sponsor can and has accomplished already under the existing law.

So, I would highly recommend against that.

And with respect to the first issue, frankly, I don't think I need to articulate an opinion on that.

LEG. TOWLE:
Mr. Chairman?

CHAIRMAN COOPER:
Legislator Towle.

LEG. TOWLE:
You know, with all due respect to the sponsor, I mean if the person was that concerned about the activities of the Lease Screening Committee, they would attend themselves as opposed to sending an alternate. The ability to send an alternate obviously applies for all of us when we're appointed to different committees, because of the volume of the things that we all attend and take part in.

From my perspective, you know, I depend on the Legislator, whether it's Legislator Guldi or Legislator Jones or Smith or Thompson or whoever may replace you when you leave public service in that district. Clearly, that person should have a voting right on the committee and be able to represent the committee in which the airport, one of the last pieces of County property that is undeveloped and is about to undergo a massive rebirth of activities, hopefully, is utilized.

So, to remove that person, although maybe insignificant to you, Legislator Guldi, is much more concern, is a much more larger concern to me, because I depend on that Legislator being my eyes and ears, not someone who lives, with all due respect to Legislator Tonna, on the opposite end of the County and has really no interest in the facility.

You know, you will sink or swim, as we all do, by your actions at this facility. If the community supports the things that you do at the facility and the business or the activities that are run, then they will support you. If they oppose them, they will oppose you. That is called a democratic process. That's the choices that we have to make as elected officials.

And from that perspective, to fix something that's not broken, to only return it back to a system that was clearly broken, to me makes no sense. And this is bad government and bad politics as far as I'm concerned.

CHAIRMAN COOPER:
I make a motion to table this resolution for the public hearing. Is there a second?

LEG. FISHER:
Second.

CHAIRMAN COOPER:
All those in favor? Opposed?

LEG. GULDI:
Opposed.

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LEG. TOWLE:
Opposed.

LEG BINDER:
Opposed.

CHAIRMAN COOPER:
Is there another motion?

LEG. FISHER:
Don't we table it for public hearing?

CHAIRMAN COOPER:
Apparently not. Paul?

MR. SABATINO:
The only ban is you can't discharge it from the prime committee until the hearing is closed, but you're free to vote on it in a non-approval meritorious --

LEG. FISHER:
I see.

LEG. GULDI:
If -- if -- it's either someone makes a motion to approve or it fails for lack of a motion.

LEG. BINDER:
Right. Or it fails for lack of a motion.

LEG. GULDI:
Now, that the tabling motion is done.

MR. SABATINO:
The tabling motion has been defeated, if nothing further happens and you move through the agenda and you conclude the day, then it's deemed --

LEG. GULDI:
Fails for lack of a motion?

MR. SABATINO:
For lack of a motion.

LEG. GULDI:
Fails for lack of a second. FAILED DUE TO LACK OF A SECOND

CHAIRMAN COOPER:
Okay. Moving on. Dave --

LEG. FISHER:
Mr. Chairman, if my vote could be added to the prevailing side on the others, on the motions that I missed?

CHAIRMAN COOPER:
Yes.

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LEG. FISHER:
Thank you.

CHAIRMAN COOPER:
Dave, the person that you were hoping would arrive, have they?

MR. GRIER:
I'm here to answer whatever questions the Committee has regarding the bill. I understand the first question that you had had is why are we doing this, and the simple reason is that under -- under the current law, all the proceeds that are received have to be distributed within thirty days.

However, where we get to a situation where there are revenues that have come in in excess of what's been budgeted, there's no mechanism aside from doing say on a monthly basis an appropriating resolution for the Treasurer to distribute the proceeds and he may very easily want to file the thirty day time period in order to do so.

So what we'd like to -- the reason for this bill is for us to have the ability for the Treasurer or the Fiscal Officer who has those powers of the Treasurer to collect and distribute the proceeds according to the allocation that's been established by State law and in the County Code.

CHAIRMAN COOPER:
Thank you. I believe Legislator Towle has a question.

LEG. TOWLE:
Yes. David, what type of money are we talking about? What are you anticipating the dollars are? I mean there must have been some amount that's in place now in order to move this bill forward.

MR. GRIER:

I don't know what that money is, the Budget Office would be better able to answer that question, I don't know what the actual dollars are at this point in the year.

LEG. TOWLE:

Does anybody know? If not, we'll move right beyond it, if you don't know.

MR. KNAPPE:

Well, basically, I don't know the exact dollars amounts. It is --

LEG. TOWLE:

Ball park.

MR. KNAPPE:

Budget Review might have --

LEG. TOWLE:

Quarter of a million dollars, hundred thousand dollars, fifty cents, what are we talking about?

MR. DUFFY:

I think it's about three quarters of a million dollars.

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LEG. TOWLE:

Three quarters of a million dollars, great number. So you expect us today to approve this bill so that that three quarters of a million dollars can be allocated how?

MR. KNAPPE:

Basically -- I'm sorry, Dave.

MR. GRIER:

I'm not sure if the answer to that question is whether or not that's the total amount that's been collected or if that's the excess. That I'm not sure was clear.

MR. DUFFY:

That's the total amount.

MR. SABATINO:

I think the total is more the magnitude of a million dollars, the excess can't be seven-fifty.

MR. DUFFY:

No, no. I was giving the total amount.

LEG. TOWLE:

Okay. You got us all excited, three quarters of a million dollars. Thanks, we appreciate it.

LEG. GULDI:

If I may, Kevin, do you know how much is budgeted of that projected three quarters of a million dollars, all of it?

MR. DUFFY:

Well, our concern with the bill is that this would make the hotel/motel tax an off budget item.

LEG. GULDI:

Right.

MR. DUFFY:

Which we have expressed concerns about. The budget is basically, the appropriations system is the control that the County has over its funds.

LEG. GULDI:

And essentially if we take this item off the budget this year and then next year's budget the million dollar approximate revenue would -- we could increase the rest of the budget by that million dollars without running up against the cap laws, is that correct?

MR. DUFFY:

I would defer to Counsel on that.

LEG. GULDI:

Okay.

LEG. TOWLE:

Okay. I'm done with my questions, we can vote on this.

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MR. KNAPPE:

Actually, there's one thing I can point out, just in disagreement with Budget Review, we're not taking this, the hotel/motel fund off the budget, it will go through the same appropriation process as the rest of the Operating Budget, whereas the appropriations will be set. The difference is the excess revenue, if there is any, that we don't find out until maybe January or February, the end of the fourth quarter or when they're doing the accruals and getting the numbers from the State for the end of the year, those excess revenues will be appropriated based on the original appropriations within the budget and the excess dollar amounts that comes in.

So it's not that we're taking this off budget, it's remaining in the budget, the same process, it's just how we're handling it with the excess

of revenues.

LEG. GULDI:

I'm looking at the language of the statute, the statute says that the Treasurer shall allocate those amounts collected that are not in the budget, so if you zero the budget, the Treasurer allocates a hundred percent of the amounts and you've taken it off the budget, that's what the bill seems to do. Other than you're saying it's your intent to keep it allocated in the budget, but once you pass this bill, you have essentially a million dollar plug if you need to use it.

MR. GRIER:

The way you're reading it is incorrect, because it only refers to collecting and distributing those in excess of what's been put in the annual adopted Operating Budget.

LEG. GULDI:

Right. So if you zero the annual Operating Budget, the amounts collected in excess of the Operating Budget are a hundred percent of the revenue from the hotel/motel tax. You thereby take it off the budget. That's what the words say.

MR. GRIER:

The one thing that you're --you seem to feel that you're losing the appropriation process, you're limited for the great majority of this revenue to what it can be used for. The only portion of the revenues that the Legislature after that piece are the cultural -- the museums and cultural organizations where final approval for where that money goes is subject to the Legislature's approval. That's not going to change. The other items are still, can only be used for certain purposes, and that's where they have to go regardless of whether or not this bill gets passed or not.

LEG. TOWLE:

I'm going to make a motion.

MR. SABATINO:

I just have to correct the record, that that's not true. Legislator Guldi has the correct interpretation. But the problem is that you appropriate X dollar amount, okay, sixty-six, you know, sixty-six percent is going to go to the LICVB, or whatever other agency you designate, but the other thirty-three percent, which is usually a very contentious

appropriation process, are all those cultural and arts organizations and museums that you line item appropriate. What this statutory change says is that above and beyond what you've appropriated, the Treasurer is now going to be granted the appropriation function and power.

Well, number one, I don't think you can delegate the appropriation power to anybody, including the Treasurer. But even if you could, then the Treasurer will be determining how -- let's say twenty thousand dollars comes in as excess, he will be determining where the twenty thousand dollars goes, because he'll have to create an appropriation someplace somewhere to spend the money. So, you're going to lose control of that two hundred thousand dollars if you even have the authority to give away your appropriation power to the Treasurer.

LEG. GULDI:

And give birth to the Suffolk County Treasurer's concert series.

LEG. TOWLE:

Summer concert series, that is.

CHAIRMAN COOPER:

We have a motion to approve. I'll second that motion for the purpose of defeating this bill. All those in favor? Opposed? Mark me as opposed.

LEG. GULDI:

Opposed.

LEG. BINDER:

Opposed.

LEG. FISHER:

Opposed.

CHAIRMAN COOPER:

IR 2104 is defeated. DEFEATED

CHAIRMAN COOPER:

Has Richard Kruse arrived? You're not Richard Kruse.

MS. BURKHARDT:

Mr. Chairman, he hasn't arrived. He's about I think five minutes away. But one of the questions that arose earlier, was Bill Majuk notified that he was being replaced, the answer is yes.

LEG. BINDER:

Can I ask a question?

MS. BURKHARDT:

Yes.

LEG. BINDER:

Thanks. So he was notified, did he ask to leave, did Bill --

MS. BURKHARDT:

I don't know that.

LEG. BINDER:

So he's aware. Did he have a reaction to this?

MS. BURKHARDT:

I did not speak to him personally.

LEG. GULDI:

Who did speak to him?

MS. BURKHARDT:

I was just told when I filed the bill that Mr. Majuk was notified that he was being replaced.

LEG. GULDI:

Do you know him?

MS. BURKHARDT:

No, I don't.

LEG. GULDI:

Who told you?

MS. BURKHARDT:

Paul told me.

LEG. BINDER:

While Richard Kruse would be a great candidate for this, I know him personally, he's a perfect person, I won't co-sponsor this until I find out what's happening with Bill and how that worked.

MS. BURKHARDT:

Mr. Chairman, he is on his way. I know that you're at the end of your agenda and I apologize, I thought that your office was going to call him to appear before the Committee.

CHAIRMAN COOPER:

And we thought that your office was going to call.

MS. BURKHARDT:

It's my fault. I spoke to him, he was in Commack and he's probably within five minutes.

LEG. GULDI:

If he's already on his way, I'll give him the courtesy of waiting, I don't know about other Committee members. Let's take a brief recess, though. It will give us an opportunity to ask him what questions we have for him, the man is on his way here, I hate to have him come twice.

LEG. BINDER:

Except that --

LEG. GULDI:

It won't resolve the issue, I still would second your tabling motion, but --

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LEG. BINDER:

But I would hope that Mr. Kruse knows the situation, that we don't know about the replacement, about the person he's replacing, about whether that's voluntary, it's forced replacement, so he's going to come here, we're not going to be able to go forward with his --

MS. BURKHARDT:

I don't know what the answer to that question is.

LEG. GULDI:

If he's on his way, let's give him the courtesy of waiting and we'll ask what questions we have for him. And the answers -- the questions that we can't answer obviously today will necessitate a tabling.

(BRIEF RECESS)

CHAIRMAN COOPER:

Richard, welcome. Why don't you come up front. And since I believe the Legislators that had questions aren't here, why don't you just take a couple of minutes to explain why you would like to assume this position.

MR. KRUSE:

Well, I think I could be a big help to Suffolk County and Long Island overall in the areas that the IDA has their venue. I've been involved in technology, involved in business, involved in --

CHAIRMAN COOPER:

Your mike is not on.

MR. KRUSE:

Better? Okay. I've been involved in the technology field for about the past eight years starting out with Computer Associates, then with another technology software and networking company where I was a partner and a president, and now at Invision.Com, which is a very well known technology company a few minutes from here in the Hauppauge Industrial Park.

I've also been working in the realm of not-for-profit arena for many, many years as well and just helping Long Island overall, and, of course, Suffolk County. I was one of the co-founders of LISTnet, some of you might be familiar with that, it's the Long Island Software Technology

Network. I was one of the original six, six founders, which started with six of us around the table, just like this, a little over five years ago.

And the forum was to bring together all the software and technology companies in Long Island after the defense manufacturing of that sort was -- really had left Long Island with just a few pieces here, we needed to let Long Island know that the new manufacturing was technology and software on Long Island. And we knew that, but not many other people on Long Island or Suffolk County knew that.

And to this day we're now at about a thousand companies involved, everyone from Computer Associates down to one and two person companies here on Long Island. And we have brought that forum together to make Long Island one of the tech centers of America and to really bring it out, so now at least the people on Long Island know that that's what's going on here.

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So in the realm of not-for-profits, bringing business to Long Island, to Suffolk County, keeping them here, preserving jobs. I go around to high schools, colleges, speaking on the need for work force and the technology sector and, of course, business.

Now, you might have noticed that where our LISTnet headquarters is on Sunrise Highway, the old Grumman EDS headquarters, is our LISTnet offices are located there. It is now called the Long Island Business and Technology Center, so everything has come around full circle. So it's not just technology now, it's all business and technology.

And we have a real need to keep our kids here in colleges, let everyone know about that, and the jobs here and, of course, affordable housing and everybody else. So the key is it comes down to the idea of helping companies, new companies, which really have a big need, to get to Suffolk County, tell them the value of our County and Long Island overall and keep everybody working and helping out these companies in any way we possibly can.

CHAIRMAN COOPER:

Thank you, Richard. I believe that Legislator Guldi has some questions.

LEG. GULDI:

Yes. Give me a second, I just want to finish reading your resume before I start asking you some questions about what's on it.

MR. KRUSE:

That's quite okay.

LEG. BINDER:

Only one question. Is that a T-shirt or is that a white collar and you did something I don't know about?

MR. KRUSE:

That's a T-shirt. I apologize, you know, when they just called a few minutes ago to pop in here literally.

LEG. GULDI:

At least you found a jacket.

LEG. BINDER:

It's a white collar, I didn't know if --

LEG. GULDI:

You're making Allan nervous.

MR. KRUSE:

I just got -- I was just on my way back from all morning, I try to adapt to the people, sometimes I change three times a day. I was just with --

LEG. BINDER:

You look like a techy guy.

MR. KRUSE:

Yeah. Well, I carry both sides, you know, that's really important between the tech side and the business side. I was just with the head of a high school robotics team, some of you may have heard of the {First}

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Organization, Long Island {First}, which we just had a big event last week, actually, and last Monday at the tech center. And I was just with the head of the high school robotics team trying to help them with marketing and fund-raising and on the technical side of their robot, so I try not to scare them away wearing a suit all the time.

LEG. GULDI:

All right. I'm looking at your resume, I see your a fellow alumni of Suffolk Community College. As I frequently remind my colleagues when their budget issues come up, I went there, you didn't, and I'm glad to see you here. Let's talk about rather than your particular background and credentials, let's talk about IDA, what you know about it and how you can dovetail your background into an asset to that organization.

MR. KRUSE:

Well, I think -- the first thing you're right, I did go to Suffolk Community, as well as my wife did right out of high school, which my wife and I met in high school and both went to Suffolk first. And she went on to Hofstra, I went on to school in Manhattan, but, of course, we both came back here and now we're married twenty-two years and living in Deer Park.

And I think a key thing is that when you have a piece of the past, such as Suffolk Community College, and I've been living -- I've been living on Long Island, actually in Deer Park since we moved here from the city since I was fifteen years old, so we have -- absolutely you need to have a big stake into what you're doing.

And with all the connections and people I've met, whether business-wise, not-for-profits, charities, political, I think that all those things will help me help the IDA help Suffolk County, which will in turn will help our businesses, which will in turn help the employees, which will in turn help the families and be a success, make Long Island an even more success, Suffolk County in the future, which is what we need.

LEG. GULDI:

Okay. So other than the synergy and networking, let's back up, let's talk fundamentals. What is your understanding of what IDA does?

MR. KRUSE:

Well, we're going to help, help businesses either come to Suffolk County, if they're not here, and/or help the present companies in Suffolk County that are here already by way of tax abatements, by way of tax exempt bonds, to help the company grow and prosper, to help out with the empire economic development zones here in expanding them and helping the current zones, helping businesses any way we can prosper themselves so that it will help the families working in these companies here on Long Island, which will in turn help Suffolk County.

LEG. GULDI:

Okay. And the -- and basically -- all right.

MR. KRUSE:

And also we want to keep, you know, jobs is a big, important thing, needless to say. We want to keep and retain jobs here, which going through the economic climate before 9/11, After 9/11 it got even worse as

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we all know, and to this point we not only have to try to retain the jobs and, of course, there's still layoffs going on, we can't hide that fact, but we need to get more jobs here.

How do we get more jobs? Helping these companies, helping get new companies to Long Island and so on and so forth.

LEG. GULDI:

My district, I represent the east end from Montauk to Moriches, we have some unique problems in the east end in that the tourism industry generates so many low end jobs that it is impossible to find personnel for them, yet they don't pay generally sufficient wage rates to sustain, you know, home ownership and raising a family within the area because the

cost of living is to high.

So, from my perspective it's always not just been jobs, it's been what kind of jobs and what does it pay. What's your perspective on that?

MR. KRUSE:

Well, I think we need to help, help all levels of, you know, of the job sphere. You know, without the lower level wage earners, a lot of the companies such as those will have a problem. Without attracting the right amount of money to our high level executives running the companies, we're going to have a problem. We need to take care of both ends.

How do we do that? It's a very, very tough balance. One of the biggest problems with the lower scale of the wage earners is, of course, the housing problem, which that's a big issue going on now. It always was a big issue, I think it's coming out more now, but we absolutely need help. And we need maybe to change some of our zoning and change some of our laws to help out in the, you know, in the real estate environment to help these people that are making the lower wages, because without some of these people doing these jobs, Long Island is going -- we're going to find ourselves even in a bigger problem going on. We'll have nothing but higher level executives and wage earners and we'll have nobody to do the work underneath them.

LEG. GULDI:

Okay. Thank you.

LEG. FISHER:

Mr. Chair, just briefly.

CHAIRMAN COOPER:

Legislator Fisher.

LEG. FISHER:

I think I've seen you at something involving School to Work possibly or School Technology.

MR. KRUSE:

Yes, a school business partnership I'm involved --

LEG. FISHER:

Yes. I've been involved in those, I think I may have seen you there.

MR. KRUSE:

Yes. I'm on a few Business to School Advisory Boards and mentoring programs. And Smithtown for one, actually right now we're working on a program, Classroom to Boardroom. I'm involved in the mentoring program.

LEG. FISHER:

That's an important piece in keeping our work force here.

MR. KRUSE:

Absolutely.

LEG. FISHER:

Is showing youngsters the opportunities that are available here on Long Island. Another educational piece, well, a business piece involving educational institutions are the incubators on Long Island. Have you been involved with the Stonybrook University? For example, their incubator has helped to begin many young high tech businesses, and Suffolk Community College is also working as an incubator, a little different venue. How much have you worked with the incubators?

MR. KRUSE:

Well, the Stonybrook incubator, indirectly with that particular incubator, which there are a number of. Also there's the one at Suny Farmingdale right now and Cold Spring Harbor and also the LISTnet one we have Briarcliffe College. One of my six partners in LISTnet is Yacov Shamash, who is the Dean of Engineering and Science at Stonybrook, so we're very close in that respect, as Yacov was one of the people that helped me start LISTnet.

So, that's a very successful incubator. Jim Hayward and Collaborative, who's out there, and {Credible} Company, actually we just had Jim speak at the Long Island Economic Summit, which was last week at {Carliner} on the Green, which that took some doing. I was talking from behind the scenes trying to put that together for the past year to get both the heads of the Counties put together there.

Incubators has always come up, I think we have some of the strongest incubators in America actually right now. Our LISTnet high tech incubator at Briarcliffe is full at the moment. We just graduated a few companies, we have other companies replacing them right away. I think we have about fifteen companies in there. So I was one of the people that started that incubator, we have a steering committee maybe of maybe eight or nine people and that is highly successful. And we need to keep those growing and we need more.

It's changing a little bit, there's not that many start up high tech companies coming on right now, yet the few there are that we interview, and I'm involved, very much involved in the process of that, running that incubator. As soon as we graduate people, we have them replaced. So, incubators are very, very important to Long Island.

LEG. FISHER:

And how do you see that with regards to your role in IDA?

MR. KRUSE:

Well, you know, it would be great to have the IDA get involved more in

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the incubators and on the other, vice versa, that the IDA can help these companies when they come out of the incubator, helping them to stay on Long Island. We need, you know, incubator companies from across the country, wherever they are, as they leave an incubator, they might leave a Chicago incubator, they might leave a Manhattan incubator and not stay in their districts, they might be going, you know, out to Ohio.

We have the problem now with, you know, some of the companies here. We had a big manufacturing company just moved all their manufacturing to Utah, but at least we kept their headquarters here. But it's something we need to work more on, is to when we help these companies, we have to do everything in our power to -- we help them while they're growing, but we really have to do even more for them to keep them here.

LEG. FISHER:

Right. Okay. Thank you, Mr. Kruse.

CHAIRMAN COOPER:

Any other questions? Okay, Richard -- I'm sorry, Legislator Towle.

LEG. TOWLE:

I had a few, but quite honestly without the other information, I really couldn't ask a newly proposed member the appropriate questions that I'd like to ask. I mean I've got to hear part of your -- I apologize, I was out of the room, I got called out to do an interview piece, but before you had gotten here there's been a real question of oversight by us of this group.

We don't get any minutes, we don't get any notifications of the meetings. You know, I've been here seven years as a Legislator and four years as a staff person, I couldn't tell you who the members of the IDA are. And not by any lack of me asking the questions or wanting to know, by the way, it's just been a question of that once we appoint them, we never see them again. And from my perspective, that's a problem. And since this obviously came before us today, since you're replacing a member that's sitting on the Committee, we don't know if that person has been notified as to whether or not they're -- notified that they are being replaced.

LEG. BINDER:

Was just notified.

LEG. TOWLE:

Was just notified. Obviously you're filing a bill, one would think that the person either wanted to step down or had to be replaced because they missed some meetings or had no interest again as opposed to just basically firing a volunteer. You know, I couldn't support you today if

you were the best guy in the world, and you very may well be, so I just wanted to let you know why I would be looking to table this today or I'll oppose it if it's moved.

MR. KRUSE:

If I may? I would say, and I understand that, I'm not up on those other facts with what you're trying to -- you're inquiring about, but what I can tell you is --

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LEG. TOWLE:

Neither are we.

MR. KRUSE:

Yeah. What I can tell you is that, that maybe in the seven years you haven't been in contact with the people you appoint, it is my deep concern to have more people involved with the Legislature and yourself and every one of the Legislators going forward, so I just might be the person that, you know, be careful what you wish for.

So, you know, I intend to -- I'm not -- I do not need another name of a committee to be on my bio that I give out every day. So, I'm here for a purpose, it's a very serious one, I believe wholeheartedly in it. I want to expand it, I want to do the right thing for Suffolk County and for all of Long Island and for the Legislature.

LEG. TOWLE:

Just one follow-up question. I wouldn't have done this, but since you opened the box, I will. Assuming that it's tabled today, or I would hope it would be tabled today, but assuming it is --

CHAIRMAN COOPER:

It is.

LEG. TOWLE:

It is tabled? Okay. So include me with the majority, if you would. Since it was tabled today, obviously once we receive this information, would you be willing to come back to the Committee again because I mean at that point I can formulate some reasonable, intelligent questions to ask you, not that I have to ask you questions, but I want to ask you questions, because clearly there has been a lack of oversight of this group, clearly there has been a lack of interaction with the Legislature.

And I'm not suggesting that that is because of the members we appoint, but obviously there's some contributing factor there and we want to hold people accountable. You know, you want to get involved in a Board to obviously promote the Island, to promote business, to promote government, to promote things that are available to businesses to keep them here so they can employ people. Those are all very honorable goals and we hope

that this group is accomplishing that, but the fact that we, you know, I don't think -- has any Legislator been to an IDA meeting? Has any Legislator been invited to an IDA meeting? Has any Legislator seen minutes from the IDA?

Okay. And there's people that have been here as long, if not longer than most, like Legislator Binder, who's been here since the Legislature was formed, 1932 I think.

LEG. BINDER:
I feel like it.

LEG. TOWLE:
That's the point I'm making. So it's really an issue not so much about you, but in the manner that this was done and in the manner that we're really lacking some information.

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MR. KRUSE:
It would be my pleasure, whatever I can do to help.

LEG. GULDI:
Mr. Kruse, did you have any occasion to speak to a Mr. Majuk before today, Mr. William Majuk?

MR. KRUSE:
No, we've never met.

LEG. GULDI:
You never met. Have you spoken to any other member of the IDA Board?

MR. KRUSE:
Just Mr. Gatta.

LEG. GULDI:
Just Mr. Gatta?

MR. KRUSE:
Yes.

LEG. GULDI:
And when did you speak to him on this issue?

MR. KRUSE:
I guess ongoing for over a period of a few months. And I also just met Mr. Ferguson last week at the Economic Summit.

LEG. GULDI:
Okay. So that's -- that was basically -- how did you -- how did you

become interested in serving on the IDA, did somebody approach you or did you bring it up, did you initiate it?

MR. KRUSE:

Probably a combination with Mr. Gatta over the past year or two.

LEG. GULDI:

Okay. So you've been -- the answer to my question is then in that year or two you have acquired some familiarity with Suffolk's IDA, what its capabilities are and what its role has been?

MR. KRUSE:

Yes.

LEG. GULDI:

Okay. Thank you.

LEG. GULDI:

This is tabled already?

CHAIRMAN COOPER:

Yes.

LEG. GULDI:

Okay.

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CHAIRMAN COOPER:

Richard, thank you very much for coming down, we appreciate it.

LEG. GULDI:

When we figure out what it is we're doing, we'll invite you back and ask you more penetrating questions.

MR. KRUSE:

Okay. Thank you.

LEG. BINDER:

Not last minute this time.

MR. KRUSE:

Okay. I appreciate that. Okay. Thank you.

CHAIRMAN COOPER:

Take care.

(THE MEETING WAS ADJOURNED AT 11:55 A.M.)

{ } DENOTES BEING SPELLED PHONETICALLY

